

Cote, D.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEDERAL HOUSING FINANCE AGENCY,
etc.,

Plaintiff,

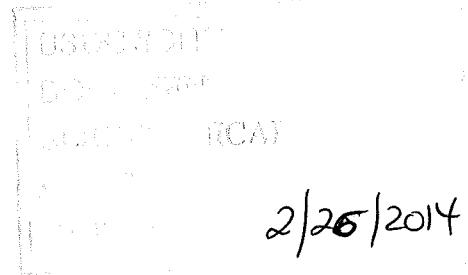
-against-

MERRILL LYNCH & CO., INC., et al.,

Defendants;

And other FHFA cases.

11 Civ. 6198 (DLC)
11 Civ. 6200 (DLC)
11 Civ. 6202 (DLC)
11 Civ. 7010 (DLC)



2/26/2014

STIPULATION AND PROPOSED ORDER
REGARDING NON-RE-UNDERWRITING EXPERT SCHEDULE

WHEREAS, Plaintiff Federal Housing Finance Agency (“FHFA”) and the Defendants in *FHFA v. Merrill Lynch & Co., Inc.*, 11 Civ. 6202 agreed to, and the Court ordered, a revised pretrial schedule governing expert discovery on September 6, 2013 and December 6, 2013;

WHEREAS, FHFA and the Defendants in *FHFA v. Goldman Sachs & Co.*, 11 Civ. 6198, *FHFA v. Credit Suisse Holdings (USA), Inc.*, 11 Civ. 6200, and *FHFA v. Ally Financial, Inc.*, 11 Civ. 7010 (collectively, the “Tranche 3 cases”) agreed to, and the Court ordered, a revised pretrial schedule governing expert discovery on September 25, 2013;

WHEREAS, on February 21, 2014, the Defendants in the Tranche 3 cases requested a short extension of the deadlines to serve non-re-underwriting expert reports and rebuttal non-re-underwriting expert reports;

WHEREAS, FHFA was willing to agree to an extension if the deadline to serve rebuttal non-re-underwriting expert reports in *Merrill Lynch* occurred after the Tranche 3 cases served their non-re-underwriting expert reports;

WHEREAS, at the request of the Defendants in the Tranche 3 cases, the Defendants in *Merrill Lynch* agreed to an extension of the deadline to serve rebuttal non-re-underwriting expert reports; and

WHEREAS, FHFA and Defendants in the Tranche 2 and 3 cases agree that no party shall raise this revised schedule as a basis for altering the summary judgment or trial schedule previously ordered by the Court;

IT IS NOW STIPULATED AND AGREED BY THE PARTIES THAT:

1. The schedule set forth on Exhibit 1 hereto shall govern the schedule for disclosing non-re-underwriting expert reports on any issues for which a party bears the burden of proof, and any rebuttal non-re-underwriting expert reports, in the *Merrill Lynch, Goldman Sachs, Credit Suisse*, and *Ally* cases.

So ordered.
June Cole
2/24/14

Dated: February 24, 2014
New York, New York

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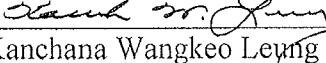
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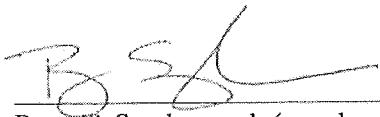
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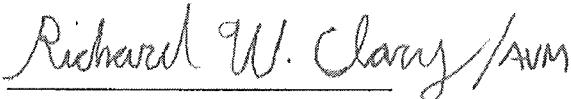
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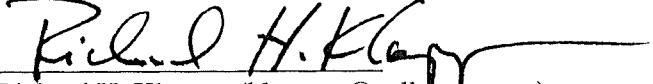
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SO ORDERED:

By: _____
The Honorable Denise L. Cote, U.S.D.J.

Date: _____

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SO ORDERED:

By: _____
The Honorable Denise L. Cote, U.S.D.J.

Date: _____

Exhibit 1

Case	Event	Date
Merrill Lynch	The parties shall serve any rebuttal non-re-underwriting expert reports.	Mar. 14, 2014
Goldman Sachs	The parties shall serve any non-re-underwriting expert reports on any issues for which they bear the burden of proof.	Mar. 7, 2014
	The parties shall serve any rebuttal non-re-underwriting expert reports.	May 2, 2014
Credit Suisse	The parties shall serve any non-re-underwriting expert reports on any issues for which they bear the burden of proof.	Mar. 12, 2014
	The parties shall serve any rebuttal non-re-underwriting expert reports.	May 12, 2014
Ally	The parties shall serve any non-re-underwriting expert reports on any issues for which they bear the burden of proof.	Mar. 19, 2014
	The parties shall serve any rebuttal non-re-underwriting expert reports.	May 28, 2014